



STATE OF WASHINGTON

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To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning, without my approval as to Section 5, Second Substitute House Bill No. 3115 entitled:

"AN ACT Relating to establishing a foster parent critical support and retention program."

Section 5 of the bill creates a statutory duty for the Department of Social and Health Services (DSHS) to disclose information to care providers regarding a dependent child's behavioral and emotional problems or regarding whether a dependent child is "sexually reactive." The duty to share this information is not limited to only that information known to the DSHS. Moreover, the term "sexually reactive" is not defined in this bill or in existing statutes. The lack of clarity regarding what specific information is to be shared and the absence of a key definition might result in misunderstandings between the DSHS and care providers. This, in turn, might result in inadequate supervision of children or unnecessary litigation.

I am directing the DSHS, however, to develop policies to implement the intent of Section 5. The DSHS policies are to specify what types of information must be shared with care providers, when the information is to be shared, and the manner in which the information is to be shared. The policies should include definitions of key terms. The DSHS' duty to share information should not be limited to only that information known at the time of placement. Rather, the DSHS should share information, consistent with the criteria outlined in policy, on an on-going basis.

For these reasons, I have vetoed Section 5 of Second Substitute House Bill No. 3115.

With the exception of Section 5, Second Substitute House Bill No. 3115 is approved.

Respectfully submitted,

Christine O. Gregoire
Governor